

EXHIBIT 3

Denise Lunsford

From: Winn, Sara (USAVAW) <Sara.Winn@usdoj.gov>
Sent: Thursday, June 25, 2020 11:06 AM
To: Denise Lunsford ; 'John Hill'
Cc: Richer, Amber (CIV); Bubar, Daniel (USAVAW); Withers, Nancy (USAVAW)
Subject: RE: other information

Hello Denise and John – we understand you have a hearing today about the subpoena for federal documents. Would you please send us a status update afterwards?
Thank you, Sara.

Sara Bugbee Winn

From: Denise Lunsford <d@lunsford-law.com>
Sent: Wednesday, June 17, 2020 3:04 PM
To: Winn, Sara (USAVAW) <SWinn@usa.doj.gov>; 'Platania, Joseph' <platania@charlottesville.org>; 'John Hill' <john@poindexterhill.com>
Subject: other information

In looking through information I also came across an Instagram Search Warrant Analysis by Brant Meyer, an FBI Analyst, which Joe Platania provided. In the email attaching the analysis Joe said it was provided in federal discovery and is also in the Commonwealth's file.

So that is an example of at least one thing, likely of many, that we got from the CW as well as the AUSA.

Denise Y. Lunsford, Esq.

Denise Y. Lunsford, LLC

414 E. Market Street, Suite C

Charlottesville, Virginia 22902

434.328.8798

d@lunsford-law.com

Denise Y. Lunsford, Esq.
414 E. Market Street, Suite C
Charlottesville, Virginia 22902
434.328.8798
d@lunsford-law.com

Denise Y. Lunsford, Esq.
414 E. Market Street, Suite C
Charlottesville, Virginia 22902
434.328.8798
d@lunsford-law.com

Denise Y. Lunsford, Esq.
414 E. Market Street, Suite C
Charlottesville, Virginia 22902
434.328.8798
d@lunsford-law.com

Denise Lunsford

From: Denise Lunsford <d@lunsford-law.com>
Sent: Thursday, June 25, 2020 7:46 PM
To: Winn, Sara (USAVAW); Joseph Platania; Nina-Alice Antony; John Hill
Subject: Re: Sines v. Kessler -- federal documents

Sara

Please make your position known to the court tomorrow. Last week I sent you an email asking you to review information on the Commonwealth's disc drives for federal material but received no reply until you emailed today to ask for the courts position. Neither has the Commonwealth assisted in this regard. In fact, it seems to me that the two organizations best suited to supply the information and with the most interest in assuring it is protected instead chose to leave it to appointed counsel to defend. The AUSA remained silent and the commonwealth reached an agreement with the plaintiffs to waive confidentiality regarding documents it provided without exception. Because this information is in electronic format, came from the commonwealth to us, and can be easily and quickly produced, we are expected to provide It as soon as possible. In light of the court's ruling and the tone of today's hearing I am not inclined to draw out production of these materials when there are other I have a greater interest in protecting on behalf of my client.

Denise

Sara

Sent from my iPhone

On Jun 25, 2020, at 6:15 PM, Winn, Sara (USAVAW) <Sara.Winn@usdoj.gov> wrote:

--
We understand Judge Hoppe has ordered Ms. Lunsford and Mr. Hill to disclose federally protected information in this case pursuant to the plaintiff's subpoena. We take the position any privileges attached to those documents are not waived, and we are entitled to assert those privileges even if the document is in the hands of a third party.

Sara

We ask that no documents be disclosed until we have had a chance to file a motion for a protective order.

Please let me know if discussion would be helpful and we will make ourselves available at your convenience.

Sara Winn.

Sara Bugbee Winn
Assistant United States Attorney
Cell 540-293-2235

Sara